

LOWELL B. DAVIS

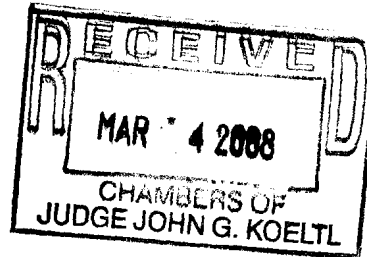
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VIA FACSIMILE ONLY (212) 805 7912

Hon John G. Koeltl
United States District Court
Southern District of New York
500 Pearl Street Rm 1030
New York, N.Y. 10007

Re: Leonard v UMG 07 Civ 9597

Dear Judge Koeltl:

This office represents the plaintiff in the above captioned action. We spoke with your courtroom deputy with regard to certain facts and circumstances that we believe the court should be aware of before the initial conference. We have spoken with counsel for UMG, Ms. Miller and she is also fully aware of all the collateral circumstances.

The plaintiffs in this action are former lead singers of the performing and recording group "The Temptations". They brought this action to declare a nominative use of "The Temptations" as a non-infringing use.

This office has substituted as attorney of record for the plaintiffs. All parties with the exception of Otis Williams have been served. Additional time is requested within which to serve Mr. Williams. His current address is unknown to us. There is a pending action in the Central District of California where the plaintiffs in this action appear in the caption as defendants but have never been served. Otis Williams is the plaintiff in that action. Both actions were filed on the same day. UMG is not a party to the California action. UMG is the owner of the federal registration for The Temptations and Otis Williams is a licensee.

The court in the California action has issued a preliminary injunction that affects these plaintiffs. The court recently issued an ex-parte order concluding that these plaintiffs have appeared in that action. This office has filed a notice of appearance on behalf of Leonard and Henderson and has moved to dismiss the action on the grounds of lack of service and lack of personal jurisdiction. Otis Williams has filed a motion to stay the plaintiffs from proceeding in this action. That motion is to be heard on March 31, 2008 as is their motion to dismiss the California action.

Very Truly yours,

A handwritten signature in cursive script that reads "Lowell B. Davis".

Lowell B. Davis,
LBD/le

cc: Carla Miller, Esq., via E-mail

Plaintiff's time to serve the
Defendants and complaint on
Otis Williams is extended
to 5/9/08. So ordered.
3/4/08 [Signature] U.S.D.